

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

<b>MCINNES,</b>	)	
Plaintiff,	)	
v.	)	Case No. 2:22-cv-7284
	)	
<b>RUTHERFORD, et al.,</b>	)	
Defendant.	)	
	)	

**DEFENDANT’S LETTER MOTION TO CONTINUE SCHEDULING CONFERENCE**

TO THE HONORABLE COURT:

On March 1, 2023, this Court issued a Letter Order Pursuant to Rule 16.1, ECF No. 9, setting a telephonic scheduling conference for April 4, 2023, and ordering counsel to meet and confer and submit a joint discovery plan not later than seven days prior to the conference.

Since the issuance of the Letter Order, the parties have engaged in settlement discussions. The Plaintiff has submitted a demand for a settlement, but counsel for Defendant advised that she would not be able to present the demand to the Defendant City Council until March 27, 2023.

On March 16, 2023, counsel for Plaintiff sent an email to counsel for Defendants and received an automatic reply stating that counsel for Defendants is on vacation until March 20, 2023.

Accordingly, Plaintiff respectfully requests that the Court reset the scheduling conference and continue all accompanying obligations until the beginning of May after the parties have had an opportunity to attempt to settle this matter outside of court.

Dated: March 16, 2023

Respectfully submitted

/s/ Jonathan Gross  
Jonathan Gross  
NJ Bar ID 0388002022  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing is being served on opposing counsel via email on

March 16, 2023

/s/ Jonathan Gross  
Counsel for Plaintiff

**CERTIFICATE OF CONFERENCE**

I certify that I attempted conferred with opposing counsel but was unsuccessful due to opposing  
counsel being on vacation.

/s/ Jonathan Gross  
Counsel for Plaintiff